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8 Attorneys for Defendants,
9 COUNTY OF CONTRA COSTA,
10 CONTRA COSTA COUNTY IN-HOME SUPPPORT
11 SERVICES PUBLIC AUTHORITY
12 (incorrectly sued herein as IHSS PUBLIC AUTHORITY),
13 and JOHN COTTRELL

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 GLORIA DELLAFOSSE,

Case NO. C 07 3948

17 Plaintiff,

18 vs.

19 COUNTY OF CONTRA COSTA, IHSS PUBLIC
20 AUTHORITY, JOHN COTTRELL,
21 EXECUTIVE DIRECTOR, DOES 1 to 100,

DEFENDANTS' REPLY BRIEF CONCERNING
MOTION TO DISMISS FOR FAILURE TO STATE
A CLAIM UPON WHICH RELIEF CAN BE
GRANTED, AND IN THE ALTERNATIVE,
MOTION FOR SUMMARY JUDGMENT OR
MOTION FOR A MORE DEFINITE STATEMENT

22 Defendants.

Date: March 21, 2008

Time: 9:00 a.m.

Courtroom: 7, 19th Floor

Judge: The Hon. Maxine M. Chesney

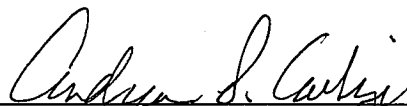
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24 Defendants, COUNTY OF CONTRA COSTA, CONTRA COSTA COUNTY IN-HOME
25 SUPPORT SERVICES PUBLIC AUTHORITY, (incorrectly sued herein as IHSS PUBLIC
26 AUTHORITY) and JOHN COTTRELL (collectively "Defendants") file this reply brief concerning their
27 motion to dismiss which was noticed to be heard on March 21, 2008. Defendants' counsel stipulated to
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1 a continuance of the hearing to April 4, 2008, at 9:00 a.m., pursuant to Plaintiff's counsel's request since
2 Plaintiff's counsel was ill and unable to prepare an opposition brief. (See, Declaration of Andrea S.
3 Carlise filed concurrently herewith.) It was Defendants' counsel's understanding that Plaintiff's counsel
4 would file the Stipulation requesting a continuance of the hearing on Defendants' motion as soon as
5 possible after it was executed. It is Defendants' counsel's understanding that the Stipulation, however,
6 was filed manually with the Court by Plaintiff's counsel yesterday. Defendants' counsel is prepared to
7 go forward with the hearing on this motion on April 4, 2008, as stipulated, if the Court is willing to
8 continue the hearing date to April 4, 2008. If the continuance is granted, Plaintiff's Opposition to the
9 motion will be due to be filed on or before March 14, 2008, and Defendants' Reply Brief will be due to
10 be filed on or before March 21, 2008. However, if the Court wishes to proceed with the hearing of this
11 motion on March 21, 2008 as originally noticed, Defendants are prepared to proceed on that date.

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13 Dated: March 7, 2008

Respectfully submitted,

14 PATTON ♦ WOLAN ♦ CARLISE, LLP

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16 by: 
17 STEVEN C. WOLAN
18 ANDREA S. CARLISE
19 Attorneys for Defendants,
20 COUNTY OF CONTRA COSTA,
21 CONTRA COSTA COUNTY IN-HOME
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24 AUTHORITY), and JOHN COTTRELL
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